

RESOLUTION RULES & GOVERNMENT

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, when California voters passed Proposition 215, the Compassionate Use Act of 1996, they were sending a message that they supported allowing qualified medical patients to use marijuana (or cannabis) as part of a treatment regimen approved by a physician; and

WHEREAS, since that time many cities and counties have worked to adopt implementing laws to regulate medical marijuana dispensaries, a task that was made somewhat simpler by the release in August of 2008 by the State Attorney General of recommended guidelines; and

WHEREAS, the State passed supplemental legislation in 2004, Senate Bill 420, which clarified the application and scope of Proposition 215 and enhanced the access of qualified patients and primary caregivers through the promotion of collective, cooperative cultivation projects; and

WHEREAS, there remain many areas in which the intent of Proposition 215 remains unclear or the initiative did not adequately lay out the necessary procedures to ensure that dispensaries are well managed and operated not for profit, as called for by the Compassionate Use Act; and

WHEREAS, the State should license medical marijuana dispensaries and issue standards for their operation, articles of incorporation and bylaws to help provide greater consistency and ensure that these facilities are run appropriately; and

WHEREAS, medical marijuana clubs should be required to organize as "mutual benefit corporations," in order to ensure that they are truly operating solely for the benefit of their members and not for a cash gain; and

WHEREAS, the State should mandate that the State Medical Board better regulate its members, and refine their procedures for disciplining any of their members who issue medical marijuana recommendations irresponsibly (for example those who interview patients over the phone or in cases where there is no documented health need for the patient to utilize this substance).

NOW THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2009-2010 State Legislative Program SPONSORSHIP of legislation that would clarify the intent of the Compassionate Use Act of 1996 in the manner described in the text of this resolution.

PRESENTED BY: Jose Huizar  
JOSE HUIZAR  
Councilmember, 14<sup>th</sup> District

Dennis Zine  
DENNIS ZINE  
Councilmember, 3<sup>rd</sup> District

SECONDED BY: Amie Holt

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